

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the non-final Office Action mailed October 29, 2008 in the above-identified application.

Claims 1-9 are the claims currently pending in the present application.

Claims 1, 5 and 8 are amended to clarify features recited thereby. These are not narrowing amendments.

### ***Applicant's Statement of Substance of Interview***

Applicant thanks the Examiner for the opportunity of a telephone interview conducted on December 16, 2008. In satisfaction of the requirement for an applicant's Statement of Substance of Interview, applicant notes as follows.

During the interview, applicant's representative, George Brieger, Registration No. 52,652, cited key aspects of the conversion-process information recited in claim 1 and explained that the McConnell reference, U.S. Patent Application Publication No. 2002/0015403, discloses a gateway that gathers extensive billing data, including download of content made by a subscriber or time taken for download of the content (McConnell, page 9, paragraph 185), but does not disclose or suggest detecting the conversion-process information of the type recited in claim 1, including detecting the time the conversion section spent to convert the signal. Further, applicant's representative suggested amending claim 1 to clarify the conversion-process information that is detected. The Examiner agreed that, as amended, claim 1 appears patentably to distinguish over the cited references.

### ***Rejection of Claims 1-3 and 5-9 under 35 U.S.C. § 103***

Claims 1-3 and 5-9 are rejected under 35 U.S.C. § 103 as being obvious from Applicant's Admitted Prior Art (AAPA) in view of McConnell, U.S. Patent Application Publication No. 2002/0015403. Reconsideration of this rejection is respectfully requested.

Claims 1, 5 and 8 require detecting as conversion-process information at least one of a time the conversion section spent to convert the first signal or the second signal, and an amount of data converted.

McConnell discloses a gateway 1 that gathers extensive billing data for each WAP (Wireless Application Protocol) request/response transaction, for example download of content made by a subscriber, URLs visited, or time taken for download of content (McConnell, page 9, paragraph 185).

As discussed during the telephone interview, McConnell does not disclose or suggest detecting at least one of a time the conversion section spent to convert the first signal or the second signal, and an amount of data converted, as required by claims 1, 5 and 8. The Office Action acknowledges (on page 3) that the AAPA does not disclose or suggest such features. Accordingly, McConnell does not disclose or suggest the recitations of claims 1, 5 and 8.

Claims 2 and 3 depend from claim 1, claims 6 and 7 depend from claim 5, and claim 9 depends from claim 8. Therefore, claims 2, 3, 6, 7 and 9 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

#### ***Rejection of Claims 5-9 under 35 U.S.C. § 103***

Claims 5-7 are rejected under 35 U.S.C. § 103 as being obvious from Applicant's Admitted Prior Art (AAPA) in view of McConnell. Further, claims 8 and 9 are rejected under 35 U.S.C. § 103 as being obvious from AAPA in view of McConnell. Reconsideration of these rejections is respectfully requested.

Claims 6 and 7 depend from claim 5, and claim 9 depends from claim 8. Therefore, claims 6, 7 and 9 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

#### ***Rejection of Claim 4 under 35 U.S.C. § 103***

Claim 4 is rejected under 35 U.S.C. § 103 as being obvious from AAPA and McConnell in view of Agrawal et al., U.S. Patent Application Publication No.2001/0046234 and Jabri, U.S. Patent Application Publication No. 2003/0027643. Reconsideration of this rejection is respectfully requested.


Agrawal and Jabri do not cure the above-discussed deficiencies of the AAPA and McConnell as they relate to the above-referenced features of claim 1. Therefore, since claim 4 depends from claim 1, it is patentably distinguishable over the cited art for at least the same reasons.

In view of the forgoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

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Respectfully submitted,

  
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